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BOARD MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD

JOE SERNA, JR., CAL/EPA BUILDING
1001 I STREET
2ND FLOOR
COASTAL HEARING ROOM
SACRAMENTO, CALIFORNIA

TUESDAY, JUNE 12, 2007
9:40 A.M.

TIFFANY C. KRAFT, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 12277

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

BOARD MEMBERS

Ms. Margo Reid Brown, Chair

Mr. Wesley Chesbro

Mr. Jeffrey Danzinger

Ms. Rosalie Mul

Mr. Gary Petersen

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Executive Director

Mr. Elliot Block, Staff Counsel

Ms. Kristen Garner, Executive Assistant

Mr. Howard Levenson, Deputy Director, Permitting and
Enforcement Division

Mr. Jon Myers, Assistant Director, Public Affairs

Mr. Bill Orr, Manager, Recycling Technology Branch

Mr. Ted Rauh, Program Director

Ms. Melissa Vargas, Staff

ALSO PRESENT

Ms. Christine Flowers, Keep California Beautiful

Mr. George Larson, Waste Management

Mr. Mark Murray, Californians Against Waste

Counselman Reyes, City of Los Angeles

Ms. Lupe Vela, City of Los Angeles

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1 PROCEEDINGS

2 CHAIRPERSON BROWN: Good morning. Welcome to the
3 June 12th meeting of the Board and to the Integrated Waste
4 Management Board, Board meeting of the Board. That's a
5 lot of Boards.

6 Kristen, can you call to roll?

7 EXECUTIVE ASSISTANT GARNER: Chesbro?

8 BOARD MEMBER CHESBRO: Here.

9 EXECUTIVE ASSISTANT GARNER: Danzinger?

10 BOARD MEMBER DANZINGER: Here.

11 EXECUTIVE ASSISTANT GARNER: Mulé?

12 BOARD MEMBER MULÉ: Here.

13 EXECUTIVE ASSISTANT GARNER: Petersen?

14 BOARD MEMBER PETERSEN: Here.

15 EXECUTIVE ASSISTANT GARNER: Brown?

16 CHAIRPERSON BROWN: Present.

17 Just an couple of reminders that you all know
18 already, but I'll remind you again. Please turn your cell
19 phones off or in the vibrate mode during the Board
20 meeting.

21 Speaker slips are in the back of the room. If
22 you intend to speak, please fill out a form and bring it
23 up to Kristen. We will be moving into closed session at
24 the conclusion of regular Board business.

25 And does any Board member have any ex partes to

1 report?

2 BOARD MEMBER PETERSEN: Madam Chair, up to date.

3 BOARD MEMBER MULÉ: Madam Chair, I just said
4 hello to Hans Kernkamp who's Solid Waste Director for
5 Riverside County.

6 CHAIRPERSON BROWN: Okay. Other than Rosalie, I
7 believe everybody is up to date.

8 If everybody could stand and recite the Pledge of
9 Allegiance.

10 (Thereupon the Pledge of Allegiance was
11 recited in unison.)

12 CHAIRPERSON BROWN: Thank you.

13 I have a couple of quick announcements.

14 One, very pleased to announce and with pleasure
15 to announce -- sort of jumped over Mark to do this one.

16 In August of 2006, the Board met their mandate of
17 939 and achieved and actually went above and reached 52
18 percent diversion. And I'm pleased to announce that we've
19 again exceeded our 50 percent and maintained that. And
20 with our most recent numbers, the Board is pleased to
21 announce that we have risen above that and are estimateing
22 our diversion rate for the year 2006 at 54 percent.

23 That accounts for 92.2 million tons of waste
24 disposed was 42.2 million and a 50.1 million ton diversion
25 rate. And that reflects just a half percent increase in

1 disposal over our 2005 numbers, which I think was a huge
2 achievement. So anyway, congratulations to all the
3 jurisdictions.

4 (Applause)

5 CHAIRPERSON BROWN: Also another quick
6 announcement and congratulations to our Office of
7 Education and Environment. The Board was jointly honored
8 with National Geographic and Heal the Bay at their event
9 last week for our education and the environment
10 initiative. So congratulations, Mindy, on that.

11 And with that, I will move to the Executive
12 Director for your report, Mark.

13 EXECUTIVE DIRECTOR LEARY: Good morning. Thank
14 you, Madam Chair. And good morning, members. A couple of
15 items from my report also, Madam Chair.

16 On June 21st of this month, our sister agency,
17 the Air Resources Board, will be considering for adoption
18 the approval of a list of proposed early action measures
19 for reducing greenhouse gas emissions under the California
20 Global Warming Solutions Act of 2006.

21 And as I think most folks know within that list
22 of early actions, there are only three. And one of the
23 three is enhanced collection of methane at landfills. And
24 as several of you I'm sure know, the Board staff has been
25 working with the Air Board staff very collaboratively in

1 putting this list of early action measures together that
2 will be considered by the Board.

3 And should the Air Resources Board adopt these
4 list of early action measures, they will be cued up for
5 regulation promulgation prior to the January 1st, 2010,
6 deadline that AB 32 provides. And we'll be working
7 together with the Air Resources Board in helping
8 promulgate those regs. Just a heads-up for our staff and
9 stakeholders that these are going forward. And should the
10 Air Resources Board adopt them, we'll be cued up to help
11 them facilitate that action. One of the very first
12 substantive actions of the implementation of AB 32.

13 Just a couple of quick comments on our agenda and
14 particularly those items cued up for consent. I want to
15 offer my own personal congratulations to our staff and the
16 staff of DTSC on the Memorandum of Understanding on Agenda
17 Item 15. That collaborative effort to ensure that the
18 fiscal aspects and all enforcement aspects related to the
19 e-waste program is a pretty important deal for us and for
20 them.

21 And I know from the external stakeholders,
22 working with other State agencies doesn't seem like a big
23 deal, but sometimes there are cultural shifts to affect.
24 And DTSC has a lot of pride in their own enforcement
25 activities. And, of course, we have a lot of pride in our

1 e-waste implementation activities.

2 And the fact we're coming together to take
3 advantage of the synergy and knowledge in both
4 organizations to make that happen is a really positive
5 thing. I think we can look forward to maybe having
6 several closed sessions against e-waste handlers in the
7 future as a result of that collaborative endorsement
8 activity.

9 Secondly, in regards to the consent agenda, I
10 wanted to report back to the Board as a follow-up of
11 Agenda Item 18. As you recall in the Permitting and
12 Compliance Committee meeting, the Committee voted to
13 conditionally approve an exemption from Poly-America for
14 2006 predicated on Poly-America's agreement to set a
15 target toward compliance in 2007. The item was proposed
16 for consent with that condition. And the staff were to
17 have this meeting on Friday, which I'm happy to report did
18 occur.

19 We discussed two conditions in the 2007 Agenda
20 Item 18 in order to obtain a conditional exemption for the
21 2006 reporting period with Poly-America. And the results
22 are that Poly-America proposed a targeted post-consumer
23 usage for the calendar year 2007 of 5.75 percent, an
24 increase of 21/100 of a percent from Poly-America's 2006
25 certification at 5.54. Using Poly-America's 2006 sales,

1 this target would translate into approximately 70 tons of
2 additional postconsumer material for the year. Of course,
3 if their sales increase, this tonnage would need to
4 increase proportionately.

5 Poly-America also confirmed their willingness to
6 meet quarterly with Board staff starting in July 2007.
7 Representatives agreed to quarterly reports and a summary
8 of postconsumer material use and contacts consistent with
9 the exemption request regulations.

10 This is the first time a plastic trash bag
11 manufacturer has agreed to a targeted postconsumer usage
12 rate in conjunction with a conditional exemption. Staff
13 looks forward to assisting Poly-America and to identify
14 additional sources of bailed film and recycled resin
15 suppliers.

16 So consistent with Committee's direction, the
17 number was, in fact, arrived at. And your Resolutions for
18 that item have been revised consistent with your
19 direction. And of course, it's entirely up to you whether
20 that issue remains on consent or not. But I wanted to
21 make sure that that information was put into the public
22 record as a follow-up of the Permitting and Compliance
23 Committee meeting.

24 With that, Madam Chair, I conclude my Executive
25 Director's report.

1 BOARD MEMBER CHESBRO: Do I understand you to be
2 saying that the staff and the Poly-America are in
3 concurrence about what that number should be?

4 EXECUTIVE DIRECTOR LEARY: They are in
5 concurrence that the number should be 5.75 percent,
6 because that's what Poly-America said they could do for
7 2007.

8 That is, as I understand it and recall, a little
9 different than some of the numbers that were tossed around
10 in the Permitting and Compliance Committee meeting about
11 satisfaction of that statute. And Ted and Bill Orr are
12 here. And maybe rather than prolong this conversation, if
13 the Board chooses to, it might want to take it off consent
14 and discuss it further.

15 BOARD MEMBER CHESBRO: I'm happy to leave it on
16 consent. I just want to make sure that that was the case,
17 that there had been an agreement reached between Poly --

18 EXECUTIVE DIRECTOR LEARY: And that happened.

19 BOARD MEMBER CHESBRO: As far as I'm concerned,
20 that's satisfactory. If someone wants to pull it off
21 consent, that's fine.

22 BOARD MEMBER MULÉ: Madam Chair, thank you.

23 I just want to make a couple of comments on this.

24 First of all, we did receive an e-mail from
25 staff. You had sent us an e-mail, Mark, on June 4th

1 indicating that that meeting with Poly-America would occur
2 and that staff was going to recommend a course of action
3 at that time based on those discussions.

4 We then received an e-mail 5:39 p.m. on Friday,
5 whatever it was, June 8th from Bill Orr. And the way that
6 I read this e-mail, it sounded to me like staff was in
7 agreement, as Senator Chesbro said, with that 5.75
8 percent.

9 So you know, I just want to make sure staff is
10 comfortable with this agreement. And basically the way I
11 interpreted that e-mail was that you're recommending that
12 we approve the exemption.

13 EXECUTIVE DIRECTOR LEARY: Since Bill is the
14 author of that e-mail, I'll allow him to characterize his
15 recommendation as he sees appropriate.

16 BOARD MEMBER MULÉ: Technically, there was no
17 recommendation.

18 RECYCLING TECHNOLOGY BRANCH MANAGER ORR: This is
19 Bill Orr, Manager of Recycling Technology Branch.

20 Staff is comfortable with the recommendation
21 staying as is. I think it presents the opportunity for
22 the Board to work with Poly-America like we have with the
23 other companies that have been through a conditional
24 approval process.

25 BOARD MEMBER MULÉ: Thank you.

1 CHAIRPERSON BROWN: Okay. I think we're good
2 leaving it on consent then.

3 And that concludes your Deputy Director's report?

4 EXECUTIVE DIRECTOR LEARY: It does, Madam Chair.

5 CHAIRPERSON BROWN: Don't want to jump on you
6 again.

7 We will -- any public comment at this time?
8 Seeing none, we will move to the consent agenda. The
9 consent agenda is Items 2, 3, 5 Revised, 7, 8, 15, 18, 22,
10 and 23 on the consent agenda.

11 Does anybody wish to pull any items from the
12 consent agenda? Okay.

13 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
14 the consent agenda.

15 BOARD MEMBER DANZINGER: Second.

16 CHAIRPERSON BROWN: It's been moved by Member
17 Mulé and seconded by Member Danzinger.

18 Kristen, call the roll.

19 EXECUTIVE ASSISTANT GARNER: Chesbro?

20 BOARD MEMBER CHESBRO: Aye.

21 EXECUTIVE ASSISTANT GARNER: Danzinger?

22 BOARD MEMBER DANZINGER: Aye.

23 EXECUTIVE ASSISTANT GARNER: Mulé?

24 BOARD MEMBER MULÉ: Aye.

25 EXECUTIVE ASSISTANT GARNER: Petersen?

1 BOARD MEMBER PETERSEN: Aye.

2 EXECUTIVE ASSISTANT GARNER: Brown?

3 CHAIRPERSON BROWN: Aye.

4 We will move next to the fiscal consent items.

5 Items 1 Revised, 9, 10, 11, 16 Revised, 19, 20 Revised, 21

6 Revised, and 24 Revised are on fiscal consent.

7 Items 12 and 17 were heard in Committee only.

8 Items 4 and 6 were pulled.

9 Items 13 and 14 Revised will be heard by the full
10 Board.

11 So I will move first to the Permitting and
12 Compliance fiscal consent items and ask the Chair of that
13 Committee, Member Mulé, if she has a Committee report.

14 BOARD MEMBER MULÉ: Yes, I do.

15 First of all, Madam Chair, I'd like to thank my
16 co-Committee member, Mr. Danzinger, for actually running
17 the meeting for me during my bout of laryngitis. The
18 meeting was memorable. And we had a lot of laughs. And
19 actually, we got a lot accomplished. It was a very full
20 agenda.

21 We heard two permit items. Both as you know are
22 on the consent agenda. Two of the other permit items were
23 pulled.

24 There were three items relating to the solid
25 waste disposal and co-disposal site cleanup program. And

1 two of those items are on fiscal consent.

2 We also heard an item on the Farm and Ranch
3 Cleanup Grant awards.

4 And then we heard in Committee only the
5 rulemaking for additional 15-day comment for the temporary
6 waiver of permit terms regulations.

7 We also heard, which we'll be hearing today,
8 Items 13 and 14 related to AB 2449. I won't go into that.

9 And then also as Mark had mentioned, the MOU
10 between the Integrated Waste Board and the DTSC regarding
11 fraud and enforcement of that fraud. It was very good
12 work on the part of staff. And I want to thank them for
13 all their work on that.

14 Also we heard an item on the illegal dumping
15 recommendations, which staff will come back to us with
16 some recommendations.

17 And then Item 18, last but not least, was the
18 exemptions request on the trash bag law.

19 And that concludes my report. Thank you, Madam
20 Chair.

21 CHAIRPERSON BROWN: Thank you.

22 Okay. We will move first -- I'm actually going
23 to -- seeing that we heard the fiscal consent item for
24 Agenda 1 in Markets, I'm going to wait until after
25 Committee Chair Petersen has a chance to do that. So I'm

1 going to go first to Item 9, which is the first fiscal
2 consent item under Permitting and Compliance.

3 PROGRAM DIRECTOR RAUH: This is Ted Rauh, Program
4 Director.

5 Item 9 consists of grant awards totaling
6 \$3,369,896 for the Solid Waste Disposal and Co-Disposal
7 Site Cleanup Program.

8 There is one illegal disposal cleanup grant and
9 five partial grants to public entities to clean up solid
10 waste disposal sites.

11 Staff recommends the Board approve the proposed
12 grants and adopt Resolution Number 2007-125.

13 CHAIRPERSON BROWN: Thank you, Ted.

14 Any questions from any members?

15 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
16 Resolution 2007-15.

17 BOARD MEMBER DANZINGER: Second.

18 CHAIRPERSON BROWN: It's been moved by Member
19 Mulé and seconded by Member Danzinger.

20 Kristen, can you call the roll?

21 EXECUTIVE ASSISTANT GARNER: Chesbro?

22 BOARD MEMBER CHESBRO: Aye.

23 EXECUTIVE ASSISTANT GARNER: Danzinger?

24 BOARD MEMBER DANZINGER: Aye.

25 EXECUTIVE ASSISTANT GARNER: Mulé?

1 BOARD MEMBER MULÉ: Aye.

2 EXECUTIVE ASSISTANT GARNER: Petersen?

3 BOARD MEMBER PETERSEN: Aye.

4 EXECUTIVE ASSISTANT GARNER: Brown?

5 CHAIRPERSON BROWN: Aye.

6 I feel like it's a tongue twister up here
7 sometimes.

8 Item 10. Ted.

9 PROGRAM DIRECTOR RAUH: Thank you. Item 10
10 consists of one Board-managed new project for the Solid
11 Waste Disposal and Co-Disposal Site Cleanup Program. The
12 project is the Neilson Road illegal disposal site, which
13 is a Priority A1 site with an estimated clean up cost of
14 \$1.6 million. The Board will also pursue cost recovery
15 associated with this particular site.

16 The staff recommends the Board approve the
17 proposed project and adopt Resolution Number 2007-126.

18 CHAIRPERSON BROWN: Thank you, Ted.

19 Any questions from Board members?

20 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
21 Resolution 2002-126.

22 BOARD MEMBER CHESBRO: Second.

23 CHAIRPERSON BROWN: Resolution 2007-126?

24 BOARD MEMBER MULÉ: It says 2002-126.

25 CHAIRPERSON BROWN: I think that's a typo. It

1 should be 2007.

2 It's been moved by Member Mulé and seconded by
3 Member Chesbro.

4 Kristen, can you call the roll?

5 EXECUTIVE ASSISTANT GARNER: Chesbro?

6 BOARD MEMBER CHESBRO: Aye.

7 EXECUTIVE ASSISTANT GARNER: Danzinger?

8 BOARD MEMBER DANZINGER: Aye.

9 EXECUTIVE ASSISTANT GARNER: Mulé?

10 BOARD MEMBER MULÉ: Aye.

11 EXECUTIVE ASSISTANT GARNER: Petersen?

12 BOARD MEMBER PETERSEN: Aye.

13 EXECUTIVE ASSISTANT GARNER: Brown?

14 CHAIRPERSON BROWN: Aye.

15 We'll make sure that Resolution that's entered
16 has the appropriate numbering on it. I think the one in
17 the Board binder is incorrectly numbered.

18 Item 11.

19 PROGRAM DIRECTOR RAUH: Yes, Chair Brown.

20 Item 11 is Consideration of the Grant Awards for
21 the Farm and Ranch Solid Waste Cleanup and Abatement Grant
22 Program.

23 Staff is asking the Board approval of eight
24 grants totaling \$394,330 for the fourth quarter of fiscal
25 year 2006 and '07. There are reimbursement awards.

1 There's one reimbursement award and seven cleanup awards
2 within this Board item.

3 Staff recommends the Board approve the proposed
4 cleanup award and the proposed reimbursement award as
5 carried out in Resolution Number 2007-127.

6 CHAIRPERSON BROWN: Thank you, Ted.

7 Any questions?

8 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
9 Resolution 2007-127.

10 BOARD MEMBER DANZINGER: Second.

11 CHAIRPERSON BROWN: It's been moved by Member
12 Mulé and seconded by Member Danzinger.

13 Kristen, can you call the roll?

14 EXECUTIVE ASSISTANT GARNER: Chesbro?

15 BOARD MEMBER CHESBRO: Aye.

16 EXECUTIVE ASSISTANT GARNER: Danzinger?

17 BOARD MEMBER DANZINGER: Aye.

18 EXECUTIVE ASSISTANT GARNER: Mulé?

19 BOARD MEMBER MULÉ: Aye.

20 EXECUTIVE ASSISTANT GARNER: Petersen?

21 BOARD MEMBER PETERSEN: Aye.

22 EXECUTIVE ASSISTANT GARNER: Brown?

23 CHAIRPERSON BROWN: Aye.

24 Next is Item 16.

25 PROGRAM DIRECTOR RAUH: Item 16 is consideration

1 of allocation of and an additional \$260,000 in a grant
2 award to the Prometheus Energy Company for their Keifer
3 Landfill project for the liquified natural gas from
4 landfill gas demonstration grant program.

5 A lot of gas in that one.

6 Basically, this is in addition to the program.
7 We're excited now that there will be three of these
8 particular demonstration projects going on in the state.

9 Staff recommends the Board approve the allocation
10 and grant award and adopt Resolution 2007-138.

11 CHAIRPERSON BROWN: I'm sure there's a line in
12 there somewhere, but I'm going let it pass.

13 Any questions?

14 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
15 Resolution 2007-138 Revised.

16 BOARD MEMBER DANZINGER: Second.

17 CHAIRPERSON BROWN: It's been moved by Member
18 Mulé and seconded by Member Danzinger.

19 Kristen.

20 EXECUTIVE ASSISTANT GARNER: Chesbro?

21 BOARD MEMBER CHESBRO: Aye.

22 EXECUTIVE ASSISTANT GARNER: Danzinger?

23 BOARD MEMBER DANZINGER: Aye.

24 EXECUTIVE ASSISTANT GARNER: Mulé?

25 BOARD MEMBER MULÉ: Aye.

1 EXECUTIVE ASSISTANT GARNER: Petersen?

2 BOARD MEMBER PETERSEN: Aye.

3 EXECUTIVE ASSISTANT GARNER: Brown?

4 CHAIRPERSON BROWN: Aye.

5 Okay. That concludes fiscal consent items from
6 the Permitting Committee.

7 And we will move next to Market Development and
8 Sustainability. Committee Chair Petersen, do you have a
9 report to make?

10 BOARD MEMBER PETERSEN: It's real brief.

11 CHAIRPERSON BROWN: That's okay.

12 BOARD MEMBER PETERSEN: We heard six items. Two
13 were on consent, six on fiscal consent, and we all had a
14 great time.

15 CHAIRPERSON BROWN: Thank you.

16 BOARD MEMBER PETERSEN: That was it.

17 CHAIRPERSON BROWN: Okay, Gary.

18 We'll move first to Agenda Item 1, and Howard.

19 DEPUTY DIRECTOR LEVENSON: Thank you, Madam
20 Chair. I'm Howard Levenson, Director of the
21 Sustainability Program. And I'll be presenting these
22 fiscal consent items from the Market Development and
23 Sustainability Committee.

24 Item 1 is Consideration of Reallocation of Grant
25 Awards for the Tire-Derived Product Business Assistance

1 Program.

2 We're requesting that the Board approve grant
3 awards and the issuance of award in the form of technical
4 and consultative assistance for 17 companies that are
5 listed in the Resolution.

6 Based on fiscal consent at the Committee, staff
7 recommends Option 1, that you approve the award of the
8 grants to the 17 identified businesses and that you adopt
9 Resolution Number 2007-110.

10 CHAIRPERSON BROWN: Revised.

11 DEPUTY DIRECTOR LEVENSON: Revised.

12 CHAIRPERSON BROWN: Number three.

13 Any questions from anybody?

14 BOARD MEMBER PETERSEN: Madam Chair, I'd like to
15 move Resolution 2007-110 Revision 3.

16 BOARD MEMBER MULÉ: Second.

17 CHAIRPERSON BROWN: It's been moved by Member
18 Petersen and seconded by Member Mulé.

19 Kristen, can you call the roll?

20 EXECUTIVE ASSISTANT GARNER: Chesbro?

21 BOARD MEMBER CHESBRO: Aye.

22 EXECUTIVE ASSISTANT GARNER: Danzinger?

23 BOARD MEMBER DANZINGER: Aye.

24 EXECUTIVE ASSISTANT GARNER: Mulé?

25 BOARD MEMBER MULÉ: Aye.

1 EXECUTIVE ASSISTANT GARNER: Petersen?

2 BOARD MEMBER PETERSEN: Aye.

3 EXECUTIVE ASSISTANT GARNER: Brown?

4 CHAIRPERSON BROWN: Aye.

5 Thank you. Next is fiscal consent Item 19.

6 Howard.

7 DEPUTY DIRECTOR LEVENSON: Thank you. Item 19 is
8 Consideration of Reallocation of Grant Awards for the
9 Joint Solicitation of the Used Oil Nonprofit Grant Program
10 and the Used Oil Research Testing and Demonstration Grant
11 Program.

12 As you know, this was a joint solicitation for
13 the two programs. We had one that was undersubscribed and
14 one oversubscribed. So at the Committee, the fiscal
15 consent was to approve a reallocation of \$183,000 from the
16 nonprofit program over to the research, testing, and
17 demonstration program so we could fund additional
18 applicants in the RTD program.

19 So staff's recommendation is you do approve that
20 reallocation and adopt Resolution Number 2007-133.

21 CHAIRPERSON BROWN: Do we need to take the
22 Resolutions separate, or can we take them both since
23 they're on the same -- since we have two Resolutions?

24 DEPUTY DIRECTOR LEVENSON: There's only the one
25 Resolution 133. 141 was there if you choose not to

1 reallocate the funds. It was more for the Committee
2 purposes.

3 CHAIRPERSON BROWN: Okay. Thank you for
4 clarification.

5 Any questions from any Board members?

6 BOARD MEMBER CHESBRO: I'll move the Resolution
7 to reallocate the funds.

8 BOARD MEMBER DANZINGER: Second.

9 CHAIRPERSON BROWN: It's been moved by Member
10 Chesbro and seconded by Member Danzinger.

11 Kristen, can you call the roll.

12 EXECUTIVE ASSISTANT GARNER: Chesbro?

13 BOARD MEMBER CHESBRO: Aye.

14 EXECUTIVE ASSISTANT GARNER: Danzinger?

15 BOARD MEMBER DANZINGER: Aye.

16 EXECUTIVE ASSISTANT GARNER: Mulé?

17 BOARD MEMBER MULÉ: Aye.

18 EXECUTIVE ASSISTANT GARNER: Petersen?

19 BOARD MEMBER PETERSEN: Aye.

20 EXECUTIVE ASSISTANT GARNER: Brown?

21 CHAIRPERSON BROWN: Aye.

22 DEPUTY DIRECTOR LEVENSON: Consideration of Grant
23 Awards for the Targeted RAC Incentive Grant Program.

24 Staff is recommending that we provide grants to
25 eleven businesses and enter into grant agreements with

1 them. And with that, we recommend that you adopt
2 Resolution 2007-134.

3 CHAIRPERSON BROWN: Revised.

4 DEPUTY DIRECTOR LEVENSON: Revised. You're way
5 ahead of me.

6 CHAIRPERSON BROWN: I got a cheat sheet.

7 BOARD MEMBER PETERSEN: I'd like to move
8 Resolution 2007-134 Revised.

9 BOARD MEMBER MULÉ: Second.

10 CHAIRPERSON BROWN: It's been moved by Member
11 Petersen and seconded by Member Mulé.

12 Kristen, can you call the roll?

13 EXECUTIVE ASSISTANT GARNER: Chesbro?

14 BOARD MEMBER CHESBRO: Aye.

15 EXECUTIVE ASSISTANT GARNER: Danzinger?

16 BOARD MEMBER DANZINGER: Aye.

17 EXECUTIVE ASSISTANT GARNER: Mulé?

18 BOARD MEMBER MULÉ: Aye.

19 EXECUTIVE ASSISTANT GARNER: Petersen?

20 BOARD MEMBER PETERSEN: Aye.

21 EXECUTIVE ASSISTANT GARNER: Brown?

22 CHAIRPERSON BROWN: Aye.

23 Item 21.

24 DEPUTY DIRECTOR LEVENSON: Lastly is
25 Consideration of the Grant Awards for the Third Cycle of

1 the RAC Use Grant Program. For this one, we're
2 recommending eight grants, and we recommend that you adopt
3 Resolution Number 2007-135 Revised.

4 CHAIRPERSON BROWN: Thank you.

5 Any questions?

6 BOARD MEMBER PETERSEN: No, Madam Chair. May I
7 move this motion?

8 CHAIRPERSON BROWN: Get in there quick.

9 BOARD MEMBER PETERSEN: 2007-135 Revised.

10 BOARD MEMBER MULÉ: Second.

11 CHAIRPERSON BROWN: It's been moved by Member
12 Petersen and seconded by Member Mulé.

13 Kristen, can you call the roll?

14 EXECUTIVE ASSISTANT GARNER: Chesbro?

15 BOARD MEMBER CHESBRO: Aye.

16 EXECUTIVE ASSISTANT GARNER: Danzinger?

17 BOARD MEMBER DANZINGER: Aye.

18 EXECUTIVE ASSISTANT GARNER: Mulé?

19 BOARD MEMBER MULÉ: Aye.

20 EXECUTIVE ASSISTANT GARNER: Petersen?

21 BOARD MEMBER PETERSEN: Aye.

22 EXECUTIVE ASSISTANT GARNER: Brown?

23 CHAIRPERSON BROWN: Aye.

24 And last but not least, Mr. Levenson, Item Number
25 24.

1 DEPUTY DIRECTOR LEVENSON: I will gladly defer
2 that to Mr. Myers.

3 ASSISTANT DIRECTOR MYERS: Sorry. Going a little
4 slow this morning.

5 Item 24, Consideration of Contractor for Public
6 Relations Services for Multi-Pronged Approach to Outreach
7 Activities.

8 The item was heard at Committee. And the -- see,
9 I'm already lost. I forgot my cheat sheet.

10 We're looking at a total amount of --

11 BOARD MEMBER DANZINGER: Howard, can you pick it
12 up here?

13 ASSISTANT DIRECTOR MYERS: He should.

14 BOARD MEMBER DANZINGER: Just kidding.

15 ASSISTANT DIRECTOR MYERS: \$592,635.

16 CHAIRPERSON BROWN: Thank you, Jon.

17 Any questions from any Board members?

18 Can I have a motion?

19 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
20 Resolution 2007-144 Revised.

21 BOARD MEMBER DANZINGER: Is that Revision 2?
22 Revised. I'll second that.

23 CHAIRPERSON BROWN: Moved by Member Mulé and
24 second by Member Danzinger.

25 Kristen, call the roll.

1 EXECUTIVE ASSISTANT GARNER: Chesbro?

2 BOARD MEMBER CHESBRO: Aye.

3 EXECUTIVE ASSISTANT GARNER: Danzinger?

4 BOARD MEMBER DANZINGER: Aye.

5 EXECUTIVE ASSISTANT GARNER: Mulé?

6 BOARD MEMBER MULÉ: Aye.

7 EXECUTIVE ASSISTANT GARNER: Petersen?

8 BOARD MEMBER PETERSEN: Aye.

9 EXECUTIVE ASSISTANT GARNER: Brown?

10 CHAIRPERSON BROWN: Aye.

11 And now since we did not have any items under the
12 Strategic Policy Development Committee, I just want to
13 take a quick moment to thank Howard Levenson and your
14 entire team who put together the workshop on Tuesday last
15 week on extended producer responsibility. It was an
16 unbelievably packed day full of information and options
17 for the Board to move forward to work with producers,
18 manufacturers, on extended producer responsibility and
19 examples of what's being done elsewhere outside of
20 California, what's being done in Europe and how we can
21 move our strategic policy directive in a direction that is
22 in a collaborative effort. So anyway, thank you very
23 much. I appreciate all the hard work that staff put into
24 that.

25 Now I think that takes us to our items to be

1 heard by the full Board. Item 13 is the first. So I will
2 defer to Howard again for Agenda Item 13.

3 DEPUTY DIRECTOR LEVENSON: Thank you, Madam
4 Chair.

5 I'm very pleased to introduce this item, which is
6 an oral presentation regarding available tools and models
7 for jurisdictions' implementation of AB 2449.

8 Anybody who had a chance to see the paper this
9 morning, there was a nice article in quoting Chairwoman
10 Brown on the law that goes into effect in July.

11 Also have received an e-mail earlier this morning
12 from Sacramento County. It was actually an e-mail from
13 Sac County back to the Bee we have a good program too. So
14 there's a lot going on in this area.

15 I think you're going to hear today about a very
16 exciting program in the city of Los Angeles, kind of
17 preclude to the subsequent item on the regs themselves.

18 So what we're going to do today is I'm going to
19 turn this over to Melissa Vargas from our Sustainability
20 Program. She's going to make some introductory remarks
21 about the overall program and kind of what the
22 responsibilities are.

23 And then we are very pleased that Councilman Ed
24 Reyes from the City of Los Angeles is here to give a
25 presentation accompanied by Lupe Vela on the plastic bag

1 recycling program that the City has instituted with retail
2 stores. I think you're going to really enjoy the
3 presentation they have to give you a heads-up on the
4 program they're kicking off later this month.

5 With that, I'm going to turn it over to Melissa.
6 Melissa will give a short introduction and then we'll
7 introduce Councilman Reyes.

8 (Thereupon an overhead presentation was
9 presented as follows.)

10 MS. VARGAS: Good morning, Board members.

11 For today's presentation, I will be providing you
12 with an update on the plastic bag recycling law and some
13 of the tools and models developed for local governments.
14 This law goes into effect July 1st of 2007.

15 --o0o--

16 MS. VARGAS: Each year, an estimated 500 billion
17 to one trillion plastic bags are used worldwide, which is
18 over one million bags per minute, and of which billions of
19 bags end up as litter each year causing impact to the
20 marine environment.

21 It is the intent of the Legislature with the
22 enactment of the plastic bag recycling law to encourage
23 the use of reusable bags by consumers and retailers in
24 order to decrease the consumption of single-use bags while
25 at the same time offer consumers a convenient location

1 where they can recycle their plastic bags.

2 --o0o--

3 MS. VARGAS: The goal of AB 2449 is to reduce the
4 amount of plastic bags in the waterways and marine
5 environment through the implementation of plastic bag
6 recycling programs.

7 One of the ways to accomplish this goal is to
8 encourage the use of reusable bags, thus reducing use of
9 single-use plastic carry-out bags.

10 The other way to accomplish this goal is to
11 provide consumers with a place they can recycle their
12 plastic carry-out bags, such as at a store.

13 --o0o--

14 MS. VARGAS: A store is defined as a retail store
15 which has over 10,000 square feet of retail space that
16 generates sales tax and has a licensed pharmacy.

17 A supermarket is defined as a full line
18 self-service retail store with gross annual sales of 2
19 million or more and which sells a line of dried groceries,
20 canned goods, non-food items, or perishable goods.

21 Stores that do not fall under the definition of
22 the law may voluntarily participate in establishing a
23 recycling program for plastic carry-out bags.

24 --o0o--

25 MS. VARGAS: Now, some of the store

1 responsibilities include insuring that all plastic
2 carry-out bags shall have printed or displayed on the bag,
3 "Please return to a participating store for recycling."

4 At least one plastic carry-out bag collection bin
5 shall be placed at each store. The bin should be visible
6 and easily accessible to the consumer. It should be
7 clearly marked indicating that the collection bin is
8 available for the purpose of collecting and recycling
9 plastic carry-out bags. This program is not intended to
10 conflict with the recycling programs the jurisdiction
11 already has in place.

12 The store shall maintain records that describe
13 the collection, transportation, and recycling of the
14 plastic bags they collect. The records shall be kept for
15 a minimum of three years and shall, upon request, be made
16 available to our Board or the local jurisdiction to
17 demonstrate compliance.

18 Now, a more detailed section of these specific
19 reporting requirements will be presented by the Plastics
20 Market Development Division at today's Board meeting.

21 Now, the operator of the store shall also have
22 reusable bags available to customers within the store
23 which may be purchased and used in lieu of plastic
24 carry-out bags or paper bags.

25 --o0o--

1 MS. VARGAS: Now, local governments have a number
2 of resources to ensure compliance with the law. These
3 resources include: Insuring compliance with established
4 goals to reduce the amount of carry-out plastic bags in
5 the environment.

6 They may review records from the store that
7 describe the collection, transportation, and recycling of
8 the plastic bags they collect.

9 And a city, county, or the State may impose civil
10 penalties in the amount of \$500 for the first violation,
11 \$1,000 for the second violation, and \$2,000 for the third
12 and subsequent violations.

13 --o0o--

14 MS. VARGAS: Now, the Office of Local Assistance
15 has been working on providing a number of resources for
16 local governments by creating a web page on the plastic
17 bag recycling law that provides information about the law
18 as well as resources.

19 We've also developed a fact sheet which will be
20 e-mailed to all local government contacts; an article in
21 the next addition of Infocycling, which is expected to be
22 published at the end of June.

23 We also do peer matching with those jurisdictions
24 who need technical assistance.

25 And as always, the Office of Local Assistance

1 will continue to provide technical assistance and outreach
2 as needed.

3 --o0o--

4 MS. VARGAS: What are some examples? Each local
5 jurisdiction has different opportunities to develop a
6 program that best fits their community needs. Examples of
7 the wide range of programs intended to reduce the amount
8 of plastic bags in the marine environment include: The
9 City of San Juan Capistrano who developed a bag-and-bag
10 collection program. This program allows residents to
11 place all their plastic bags into a single plastic bag and
12 into their commingled recycling container. Plastic bags
13 are then pulled off the sorting line at a material
14 recovery facility.

15 The City of San Francisco has opted for requiring
16 that all plastic bags be compostable. In its annual Sonoma
17 County recycling guide, Recycle 2007, the Waste Management
18 Agency has provided a brief description of AB 2449 and the
19 options residents and businesses have for recycling
20 plastic bags. This 28-page guide will appear under the
21 recycling section in the phonebook which is distributed to
22 over 340,000 customers. In addition, 24,000 extra copies
23 of the guide will be distributed at the Chambers of
24 Commerce, local neighborhood organizations, real estate
25 offices, fairs, and at grocery stores.

1 Now I would like to take this moment to introduce
2 the City of Los Angeles, Counselmember Reyes, who is here
3 to present information on how the City has been prepared
4 for the implementation of the plastic bag recycling
5 program.

6 --o0o--

7 COUNSELMEMBER REYES: Good morning.

8 CHAIRPERSON BROWN: Good morning, Councilman
9 Reyes. Thank you very much for being here. Welcome.

10 COUNSELMEMBER REYES: It's great to be here.
11 It's not often I get to Sacramento. When we do, it's
12 because we want to show how we can work together, a
13 multi-jurisdictional effort to address a very complicated
14 program.

15 But I do want to start off by thanking Lupe Vela
16 who has been working with me on this effort for the past
17 six years. I'm blessed. She was the lead on AB 939 FOR
18 L.A.'S city-wide recycling program. So when I needed to
19 talk to the various managers of departments, I kind of
20 knew how to maneuver through that maze. But with her
21 support, her experience, we've been able to move in a
22 manner in which allows us to take advantage of the
23 opportunities that we have in Los Angeles to recycle and
24 address our environment.

25 --o0o--

1 COUNSELMEMBER REYES: Our history drivers are
2 such that it's the alignment of many stars that are coming
3 together that allowed us to get to this place.

4 First of all, I want to call the federal
5 government and the State, want to make sure we're in a
6 position to address them and actually meet our goals. Our
7 river revitalization, I'm the Chair of the Ad Hoc River
8 Committee. As such, we've been looking at this
9 comprehensively. How do we collect -- how we deal with
10 the trash and debris, capture the urban slobber before it
11 gets to our coast. They're killing our coral reefs and
12 all the other negative impacts that are caused by it.

13 So far, Lupe's hard work has generated our
14 ability to reach at this point up to 63 percent --
15 sorry -- 62 percent of our recycling rate. Our goal is to
16 hit 70 percent by 2015. So our momentum is very strong.

17 L.A. City Counsel, the mayor had been the
18 greenest of counsel mayors in a long time. We're working
19 very well together, the Councilmember President Gill
20 Garcetti and other individuals, who have been focused on
21 our environment ecology. We've been pushing hard in
22 addressing these issues.

23 Our public has become much more aware. What's
24 interesting, in Los Angeles, we have many communities from
25 different parts of the world. We are the Ellis Island of

1 the west in many ways. So the environmental issue in some
2 of these other countries, especially in South America,
3 Central America, Southeast Asia, is profound. It's
4 addressed in different ways given the cultures and
5 traditions. But there is a strong focus. And we're
6 trying to gather that type of energy within this process.

7 Of course, with the federal cutbacks and
8 everything else that has been hitting the State and the
9 City, we have to be smart in how we address our resources.

10 --o0o--

11 COUNSELMEMBER REYES: So we're looking at litter
12 management costs as one of the major motivators to get to
13 this point.

14 In terms of background, we started back in 2004.
15 As we started looking at the river in its various roles,
16 we were very clear that we needed to start capturing the
17 trash before it got to our waterways. So the counsel so
18 instructed the staff to start addressing this issue of
19 litter in our rivers.

20 Our plastic industry task force was formed. We
21 were very fortunate to have strong players from the
22 private sector and the public sector. We looked at
23 advocacy groups and city staff and essentially spent
24 two years looking at how we can bring together, how we can
25 address our priorities.

1 --o0o--

2 COUNSELMEMBER REYES: Be able to reach four
3 different consensus points if you will. We established
4 the foundation, which we are able to anchor down with \$3
5 million together with private sector funds. And the
6 objective there is to start establishing our river
7 rangers, start networking at the grammar school level, at
8 the preschool age, and start talking about trash and
9 environmentalism at a very young age.

10 I recall back in -- I'll date myself -- back in
11 the '60s. I still remember the owl used to come to our
12 grammar school. They used to say, "Give a hoot, don't
13 pollute." And it's just a mantra that's in your head.
14 And those are the kinds of messages we need to start
15 giving our younger generations.

16 We started establishing uniform city-wide public
17 education messages, given these kinds of opportunities and
18 multi-lingual, multi-cultural fashion.

19 We also started looking at our hot spots for
20 trash. Our densities are very, very intense. In my
21 district, I have close to 40,000 people per square mile.
22 Around the West Lake, McCarthy Park area. It's more dense
23 in Manhattan. The city average is 6,000.

24 So when you talk about the compilation of trash
25 and the behavioral patterns of this mesh, this rich

1 collage of cultures, how we address this significant issue
2 becomes a very important task. So by identifying the hot
3 spots, we are strategic with limited resources. We
4 started looking at how we can establish new markets,
5 considering the plastic film.

6 --o0o--

7 COUNSELMEMBER REYES: How we start building in
8 new cottage industries, how we start looking at these
9 various links that speak to opportunities.

10 Our city timeline is such that we approved the
11 task force report back in September 2005. Our development
12 of public education began on a pro bono basis with private
13 industry. They started already looking how we engage our
14 various schools and school districts, the private charter
15 schools, and begin to look at what we actually have in
16 place.

17 We actually had a convention with high school
18 folks. We brought them to the Convention Center. We had
19 over 500 youngsters talking about the river. But
20 connected to it was the issue of trash, contamination, and
21 how is it we look at that whole generation in addressing
22 these needs.

23 The campaign was presented to L.A. River Ad Hoc
24 Committee and was approved back in March '06.

25 Next.

1 --o0o--

2 COUNSELMEMBER REYES: Going faster -- I caught
3 the rhythm of this Board very early. So I want to make
4 sure I get through this as quick as possible.

5 Our next steps essentially is to launch the
6 foundation, and we should do that this year. We're right
7 now looking at various candidates for the director
8 position. We started our pilot program: "It's our L.A.
9 Keep it clean." We have a press event coming forward on
10 June 28. You're all invited.

11 --o0o--

12 COUNSELMEMBER REYES: It would be a great
13 demonstration of strength and cooperation for the
14 jurisdictions.

15 We're going to be -- given the dynamics of how
16 our infrastructure has evolved, unfortunately, in the
17 north, it's a controversial issue. But many of the hot
18 spot areas where the densities are highest, we don't have
19 the supermarket chains. We don't have the scale in which
20 this law at the State level can penetrate.

21 So what we're trying to do is look at that tier
22 right below it so that we can have the level of
23 cooperation. We'll have real results where there is the
24 greatest need of greatest density that had the hottest
25 spots of trash.

1 So we started working with the L.A. Conservation
2 Corps and started working with a range of 100 to 200
3 stores. In collaboration with the Progressive Bag
4 Alliance, we started to put together a plastic bag tool
5 kit that has posters, signage. We're able to download
6 press information with our website.

7 --o0o--

8 COUNSELMEMBER REYES: In the first year of the
9 program, we'll focus on these trash areas I was speaking
10 to before. And again, starting this month and the next
11 month, we're going to be establishing our website.

12 I just had my L.A. River Committee hearing
13 yesterday, and I was pressing the director of that
14 division when is it on line. He promises in the next two
15 weeks. So we'll keep pushing hard.

16 We want to make sure we have a front door decal
17 so that folks know this facility actually recycles bags.

18 Again, half of the communities I represent are
19 living at or below poverty. The plastic bag is a very
20 functional bag. It plays many roles. It's a whole range
21 of uses. But as we start getting to recycle, we can start
22 looking at how it is that they can participate and start
23 breaking the barriers. For us to think holistically, we
24 must think about diversity. It's how we reach out to
25 these community groups is very important.

1 Next.

2 --o0o--

3 COUNSELMEMBER REYES: These are the type of
4 signages we'll be putting up in our trucks. We'll have
5 110 signs that will be made available. It's done in
6 different languages.

7 I had the highest population of --

8 --o0o--

9 COUNSELMEMBER REYES: -- Philipinos outside of
10 Manila in my district, the highest population of Koreans
11 outside of Soel Korea in the city within my district.

12 So when you start looking at this international
13 presence of how we communicate, we're trying our best to
14 reach out to this great diversity.

15 Next.

16 --o0o--

17 COUNSELMEMBER REYES: So our website will be one
18 of the ways in which we start getting the word out
19 quicker. We're going to be connecting with the libraries.
20 We want to work with the school district. They don't know
21 that yet, but we're going to start working with them. And
22 these are the type of information we'll have available to
23 them.

24 It will be downloadable information. We'll be
25 able to get them to work with us. But just as important

1 as that, we'll be able to highlight the ZIP codes in which
2 these high trash areas are defined.

3 --o0o--

4 COUNSELMEMBER REYES: And again, that's where we
5 hopefully see the greatest level of opportunity.

6 These are all the partners that have been working
7 with us. As you can see, it's an array of stakeholders
8 that understand the significance of this movement from
9 starting from the bottom, the private sector folks, the
10 Southern California Grocers Association, Unified Western
11 Grocers, all the way up through the environmental groups
12 that have been working collaboratively.

13 Next.

14 --o0o--

15 COUNSELMEMBER REYES: The most profound
16 impression we have when we look into the river is during
17 the winter rains when we do have them. But when they
18 finish going through its strongest flows, you'll see
19 essentially a lot of white flags stuck on all the trees.
20 We're talking about palm trees that are 20 stories -- I
21 mean, 20 feet high. And they're all filled with white
22 debris. When you look out into Long Beach at the end of a
23 storm, you don't see the water. What you see is a massive
24 white flowing out there.

25 The type of impact we want to make is one which

1 we can hopefully allay and take away that kind of
2 impression.

3 And I want to thank you for your hard work and
4 making sure the State is also in coordination with this
5 movement. And I really want to thank you for your hard
6 work. And thank you, Lupe, for her stewardship. And I'm
7 here for any questions.

8 CHAIRPERSON BROWN: Very good. Thank you very
9 much, Councilman Reyes and Lupe, for your hard work.

10 Do we have any members, any questions?

11 BOARD MEMBER PETERSEN: Yes, Madam Chair.

12 First of all, Councilman, thank you for coming
13 and explaining what the program is. And Lupe, I've known
14 you forever, because L.A. is home plate to me. And I just
15 want to thank you guys for what you're doing and how we're
16 trying to communicate. I know what it's like doing the
17 communities.

18 Our first recycling center when I ran Cal Haul in
19 the '70s and '80s, we communicated in five different
20 languages, and it still wasn't enough. And we were on 7th
21 and Alameda.

22 So it's amazing how to get this done and how to
23 communicate and get people to do the right thing. And I
24 just commend you both very much.

25 COUNSELMEMBER REYES: Actually, it was the result

1 of that convention we had in the high school. The local
2 city colleges created their own national chapter to deal
3 with recycling, to deal with environmentalism, to deal
4 with water quality. These are youngsters. They literally
5 put it together themselves. And now they're actually
6 stretching out their influence by creating new chapters
7 throughout southern California. It's a very strong sense
8 of urgency we are feeling from the youngsters as
9 demonstrated by their actions.

10 BOARD MEMBER PETERSEN: Your leadership really
11 helps, too.

12 One question. Do we have any idea what the cost
13 is to clean up the L.A. River with regards to plastics?

14 COUNSELMEMBER REYES: The cost factor, we don't
15 have a figure yet. Right now, we just finished the
16 characterization of the various types of contaminants.

17 We know that the plastics and the material that
18 contains food and organic matter tends to be of the
19 highest percentage of what's out there. So we want to get
20 there. First, we want to understand what's actually
21 inside. And so we're breaking that down from that point
22 of view so we can start addressing some real strategies
23 and how we can get to it.

24 BOARD MEMBER PETERSEN: Another major
25 breakthrough that you and the city put together was the

1 interceptor, the baffle box that was put into the storm
2 drain on the west side, that's good technology. That's
3 amazing.

4 COUNSELMEMBER REYES: One good step leads to
5 another. And now we have to make sure we get the trash
6 out of there.

7 BOARD MEMBER PETERSEN: Thank you.

8 CHAIRPERSON BROWN: Member Chesbro.

9 BOARD MEMBER CHESBRO: Well, I too want to
10 commend you and say hello to Lupe. It's been a while.

11 And having walked the beach at Long Beach after a
12 big storm and seeing the debris that comes down that
13 river, I commend the city for all efforts to try to
14 address those questions. It's just amazing.

15 There's a question I was going to ask the staff.
16 But since you're standing up here, the same question can
17 be asked of the city's program.

18 There's a old saying we recyclers have,
19 collection is not recycling. Collection can result in
20 better disposal. I mean, it's better that it's in a
21 landfill and not blowing in the wind and going down the
22 river. But is there any effort -- or I should ask that
23 more proactively. What efforts are involved in making
24 sure that the material is simply not collected but also
25 isn't just turned around and dumped in the landfill but

1 instead goes to a recycling market to be reused? And I'm
2 going to turn this question to our staff in a moment in
3 terms of our approach to this.

4 COUNSELMEMBER REYES: That's the discussion we're
5 having with the private sector. We want to see how we can
6 create those opportunities so that they become part of a
7 funding or a revenue generator and how we capture those
8 new markets. So we're having that discussion with them.

9 And, Lupe, do you have any other insight to that?

10 MS. VELA: You know, the city of Los Angeles is
11 actually in a very fortunate position. We probably have
12 one of the greatest infrastructures in terms of recycling.
13 You know, recycling runs from 300 to \$400 a ton for
14 plastic bags right now.

15 BOARD MEMBER CHESBRO: You don't see it as a
16 concern for Los Angeles?

17 MS. VELA: They don't want to accept their cans
18 and bottles in the store, but they're willing to accept
19 the plastic bags in the store. We do not have any
20 problems with them setting up any of the plastic bags.
21 And most of the MRFs they will go to we also contract
22 with. So we will keep an eye on that.

23 BOARD MEMBER CHESBRO: Thanks.

24 CHAIRPERSON BROWN: Any other questions?

25 Congratulations on your leadership. Thank you

1 very much. I know you guys are working hard, and we join
2 you in your efforts in helping to clean up the L.A. River.

3 COUNSELMEMBER REYES: Thank you, Madam Chair.

4 CHAIRPERSON BROWN: Thank you very much for being
5 here. I appreciate it.

6 COUNSELMEMBER REYES: Thank you. Have a good
7 day.

8 CHAIRPERSON BROWN: Did you want staff to answer
9 your question as well?

10 BOARD MEMBER CHESBRO: Well, I was sitting here
11 looking at the statute and the regulations. And the
12 record collection that's required under the statute refers
13 to transport and recycling. And our regulations says it
14 must keep records on carry-out bags recycled or
15 transported. And I guess that sort of raised a little
16 question mark in my mind about what we're going to do
17 similar to the questions I raised a few months ago about
18 the electronic recycling. What we're going to do to make
19 sure we're doing more than just responsible collection and
20 disposal which is a half step and not a bad thing. But
21 it's not recycling and going back to our primary
22 responsibility.

23 How do we envision the follow-up to make sure
24 that somebody hasn't complied with the law by collecting
25 and transporting, but it doesn't wind up back in the

1 landfill somewhere?

2 CHAIRPERSON BROWN: You want to address that,
3 Howard?

4 DEPUTY DIRECTOR LEVENSON: Very briefly. We can
5 gather some information from staff on the various efforts
6 we've undertaken. But we have worked with a number of
7 companies over the last several years to try to get more
8 plastic film recycling facilities in the state. Those
9 have been difficult, but we continue to work with them.
10 We have a loan out to -- an RMDZ loan to one company. And
11 we're continuing to work with them to overcome some of the
12 technical issues associated with the equipment.

13 So there is a variety of efforts underway on the
14 market development facilities processing side of things.
15 A lot of that is focused on ag film, but it would
16 incorporate film from these.

17 Also continue to work and assist the MRF
18 operators in terms of equipment upgrades or technical
19 assistance where we can. But we'd be happy to put
20 together more information if you wish.

21 BOARD MEMBER CHESBRO: I sprung this on you
22 without any warming. Just sitting here looking at these
23 materials, so I didn't necessarily expect you could
24 completely answer the question here.

25 But I would like to know whether or not the way

1 we've written the regs, in fact, would allow somebody
2 legally to be collecting them and not delivering them to a
3 recycler and be complying.

4 CHAIRPERSON BROWN: If I could interject. We
5 haven't presented Item 14, which is the regs. I think
6 your question may be answered when we do that. This was a
7 presentation separate on their program to help assisting
8 with the L.A. River. But let's hold that question and
9 move to Item 14 if we can on the regs, and I think that
10 your question will be answered.

11 Howard.

12 DEPUTY DIRECTOR LEVENSON: I want to again thank
13 the Councilman and Lupe for being here.

14 CHAIRPERSON BROWN: I apologize. I do have a
15 speaker on Item 13. George Larson. Sorry. I jumped
16 myself.

17 MR. LARSON: Madam Chair, George Larson here
18 today representing Waste Management.

19 I kind of jumped the gun, too, because I
20 originally signed up for Item 14 and then changed it,
21 because the two are so interlinked that I think my
22 testimony can come under either one.

23 To get to Item 14 first so I can set it aside,
24 Waste Management supports --

25 CHAIRPERSON BROWN: If you're going to talk about

1 Item 14, let's have the presentation first. If you have a
2 question related to the oral presentation on L.A., let's
3 do that and then bring you back.

4 MR. LARSON: I do have a question that is not
5 directly related to the regulation, but is directly
6 related to local programs. So it is an Item 13 comment.

7 CHAIRPERSON BROWN: Okay.

8 MR. LARSON: Waste Management, as I'm sure you
9 know, and their subsidiary companies, they're the largest
10 recycling company in the world. And one message that I
11 would say is a fundamental message for success in
12 recycling programs -- which I'm sure the city of Los
13 Angeles' considerable efforts in public and private
14 partnerships to launch their program will succeed because
15 of that.

16 The message that's very important is to have
17 consistency in the message that goes out for recycling
18 because nothing dampens or reduces participation in a
19 program more than a confusing message. And in that
20 regard, after having read of course the Sacramento Bee
21 newspaper today with the great article on 2449 how it's
22 going to be implemented, we are concerned about competing
23 programs that may dilute or misdirect the message of AB
24 2449 and all of those local programs that are under the
25 2449 program, like the city of Los Angeles.

1 And specifically, this is a program that I really
2 don't know a lot about, because I don't think it's been
3 well vetted. But it's called the Stripes to Stripes
4 Program. And it does involve a separate message from the
5 message being put out by the Waste Board and by local
6 governments for bagged recycling.

7 So the waste industry, at least Waste Management,
8 has not been involved. And we don't know a lot about this
9 program. I guess I'm asking do you know a lot about it,
10 because it should be something that's coordinated through
11 a statewide effort as is the City of Los Angeles' program.

12 So I only raise that as an issue to bring
13 consistency to all the programs being promoted at the
14 local government through public/private partnership
15 relationships.

16 CHAIRPERSON BROWN: Thank you, George.

17 BOARD MEMBER PETERSEN: Madam Chair, this is a
18 key issue. I'm a little bit familiar with what's going
19 on.

20 But what we've tried to do here is through AB
21 2449 is to have everybody agree on a system and an
22 approach. It's hard enough in the recycling world -- and
23 many of you know -- when you look through the one through
24 sevens, what do you recycle, where does it go, what does
25 it do, we are real good sometimes at confusing somebody

1 where they throw their hands up and say, it either goes
2 all in the trash or all in the recycling.

3 What I'm willing to do here is -- I think you're
4 right, George. And I would be willing to author a letter,
5 at the behest of the Board if they'll willing to sign on.
6 So we have to keep this simple.

7 And, Wes, you understand keep it simple, stupid,
8 in the recycling world. It really means that.

9 So I just would like to offer up a letter to be
10 sent out to help George with the campaign here not to
11 confuse the issue.

12 CHAIRPERSON BROWN: Right. Consistency.

13 BOARD MEMBER PETERSEN: There you go.

14 CHAIRPERSON BROWN: Thank you.

15 BOARD MEMBER PETERSEN: Thank you, George.

16 CHAIRPERSON BROWN: I agree. Consistency and
17 effectiveness.

18 BOARD MEMBER PETERSEN: I'll even write the
19 letter.

20 CHAIRPERSON BROWN: Okay. We have a few more
21 speakers, Howard. So you'll have to just wait a couple
22 more minutes. Mark Murray.

23 MR. MURRAY: Madam Chair, Members, Mark Murray
24 with Californians Against Waste.

25 And I wanted to just come up and make a couple

1 comments with regard to the previous presentation and both
2 to compliment Councilman Reyes and his staff and the
3 efforts of the City of Los Angeles in terms of really
4 trying to take this issue on operationally on the ground.

5 But I want to highlight something that occurred
6 this past week in the Legislature. I apologize for not
7 being able to make your producer responsibility workshop.
8 We were very busy in the Legislature pursuing some
9 producer responsibility legislation related to plastic and
10 take-out food packaging.

11 And we basically were not very successful in that
12 effort. We began the week with about 32 votes in the
13 Assembly. And we really tried to step things up during
14 the course of the week. We were able to eventually get
15 that effort up to about 39, 40 votes.

16 A critical player in terms of bringing attention
17 to this issue, the exact issue of plastics in the marine
18 environment, plastic litter, and the impact on local
19 governments was the effort of the City of Los Angeles,
20 Counselmember Reyes, Mayor Viyaragossa, and Counselmember
21 Greg Smith played a tremendous role in terms of educating
22 members of the Legislature about the problem and actually
23 making phone calls, calling up members of the Legislature
24 and help us to get the votes up. So I want to make sure
25 that I comment on that and thanked Counselmember Reyes,

1 Mayor Viyaragossa, and Counselmember Greg Smith for their
2 efforts in terms of bringing this issue around.

3 The issue's obviously not going away in terms of
4 producer responsibility. And certainly with your efforts
5 and process you've begun, hopefully we can have a proposal
6 we can get 41 votes on. Thanks.

7 CHAIRPERSON BROWN: Thank you, Mark.
8 Christine Flowers.

9 MS. FLOWERS: Good morning, Chair Brown and Board
10 members.

11 I would like to say that Keep California
12 Beautiful is very supportive of what the Waste Board is
13 doing in the leadership on AB 2449. We have a proud
14 community program with over 115 community members. And on
15 Friday, we hosted a workshop in Oakland where about 30
16 people attended and the Waste Board staff were there to
17 provide information updates on AB 2449.

18 We are here to help promote individual,
19 corporate, and community responsibility for the
20 environment. And source reduction is our main goal. So
21 we are developing some information and fact sheets to put
22 on our website where the general public goes for
23 information. And we will be linking to the Waste Board
24 website to the City of L.A.'s information. And we're just
25 very supportive with promoting reusable bags and the

1 recycling of plastic bags when they're being used.

2 Thank you.

3 CHAIRPERSON BROWN: Thank you, Christine.

4 Okay. I think that's it for speakers. So we
5 will move to Item 14.

6 DEPUTY DIRECTOR LEVENSON: Thank you. And the
7 speakers were well worth it. I think there's a lot going
8 on in this area and a lot of exciting things. And
9 hopefully other jurisdictions will emulate or at least try
10 to move in the same direction as the City of L.A., as
11 complicated as this issue is.

12 Item 14, of course, is Consideration of Adoption
13 of the Emergency Regulations to Implement the Statewide
14 Recordkeeping and Reporting Requirements for At-Store
15 Recycling Programs under AB 2449.

16 As you know, this has been on a quick schedule to
17 try to get these regulations to you so they can be adopted
18 prior to July 1 time frame in the statute. And staff has
19 done a great job in terms of meeting with stakeholders and
20 trying to address many of the concerns they've raised.

21 Neal Johnson is going to go ahead and present
22 this item for you.

23 (Thereupon an overhead presentation was
24 presented as follows.)

25 MR. JOHNSON: Good morning, members of the Board.

1 I'll Neal Johnson, staff of the Recycling Technology
2 Section or Branch.

3 I'm going to try to be brief.

4 --o0o--

5 MR. JOHNSON: We came to the Permitting and
6 Compliance Committee last week with an item.

7 --o0o--

8 MR. JOHNSON: I'll skip to where we are in the
9 regulations briefly. The previous item talked about who's
10 regulated, which is primarily supermarkets and retailers
11 with licensed pharmacies.

12 --o0o--

13 MR. JOHNSON: And other retail establishments can
14 participate.

15 We have defined a number of terms. Probably in
16 some sense, the most controversial two were compostable
17 bags, trying to distinguish the plastic carry-out bags
18 that would be recycled under this program from other
19 compostable bags and wrote some language to that. And
20 also in the applicability section struck a somewhat
21 redundant sentence at the end of that that was in language
22 when it came to Committee.

23 The commingled recycling rate has actually
24 generated a lot. While it was something that came up very
25 early with the Advisory Group, it has been one of the very

1 difficult things as to how to actually memorialize into
2 the regulations. And so a lot of the changes have dealt
3 with how that works.

4 --o0o--

5 MR. JOHNSON: The stores will be required -- or
6 the store's operators or their designated reporting
7 parties will be required to keep records on the front end,
8 which is the number of bags purchased; the back end, which
9 is either the weight of bags recycled or the weight of all
10 plastics recycled with the bags in it.

11 And we'll be able to use the commingled rate to
12 calculate the estimate of the amount of bags recycled from
13 the total.

14 The operators have ultimate responsibility for
15 maintaining the information, but they can have designated
16 reporting parties. And some have different ones at the
17 front end and a different one or maybe multiple at the
18 back end because of what wholesalers or distributors bring
19 the bags to or recyclers, or maybe the wholesaler takes it
20 out. So there can be different parties. And those
21 parties must maintain records for three years.

22 --o0o--

23 MR. JOHNSON: And then there must be an annual
24 report filed April 1, 2007. We're going to do a half-year
25 report. And I think the rest have been covered.

1 --o0o--

2 MR. JOHNSON: And then priority information.

3 Before we get to the recommendation, I want to
4 cover some changes in the draft from when it came to
5 Committee.

6 One of the things we have actually done this time
7 is actually have numbers, chapter and an article, for it
8 to go in, as opposed to the last time where it was all
9 blank.

10 We have changed the language within the
11 recordkeeping of paragraph 2. We're trying to struggle
12 with how to write this where parties are keeping records
13 of some things and other parties are keeping -- some
14 parties are keeping records of what they actually
15 recycled. And the majority of people will probably keep
16 records of the total weight they recycled and use a
17 commingled rate. So I've struggled with, as I say, trying
18 to write that.

19 We have changed Number 2 to say that you shall
20 maintain one of the types. And then A is the weight of
21 bags recycled or transported, which Mr. Chesbro brought up
22 that issue a moment ago. B, the weight of all plastics
23 recycled or transported; and then a copy of records.

24 And I'll come back to Wesley's question in a
25 couple minutes.

1 Under the filing in the annual report, the issue
2 arose of -- this particularly was at the front end with
3 wholesalers, at least where it was described -- that they
4 with small stores -- on made sort of a number of them and
5 those became burdensome to expect a separate certification
6 form or data sheet for each one. So we agreed that if
7 they have 25 or more, they can submit a consolidated form
8 on but provide a listing of who those entities they are
9 reporting for are.

10 Then we ask for them in the report to provide a
11 weight of plastic bags collected and recycled or sent for
12 recycling. Whereas, in the previous we talked about
13 recycler transported. And some of that is because of what
14 records people will be collecting at various points. And
15 so we tried to in the first cover broad spectrum. You may
16 have operators who provided it to somebody else who
17 transported it to a recycler and wouldn't necessarily know
18 they got recycled. Ultimately, they're going to have to
19 actually determine it is recycled. And certainly it's
20 going to be our effort.

21 BOARD MEMBER CHESBRO: If not -- I understand
22 your argument about why you say recycled or transported,
23 because the person who's collecting -- the business that's
24 collecting it may only be able to demonstrate it was
25 transported. But then that leaves open the question how

1 do we know or how can we determine in fact the bags were
2 recycled, especially since the statute doesn't just
3 require they collect and transport.

4 RECYCLING TECHNOLOGY BRANCH MANAGER ORR: Let me
5 take a stab at it. This is Bill Orr.

6 Based on our discussions with the advisory group
7 that's been helping us develop the regulations, I think
8 what we're seeing is two possibilities. One is that we're
9 going to take advantage of the current distribution
10 networks that exist. And then the second would be that
11 we're aware of companies that are actually going to
12 establish milk runs to go around and collect the materials
13 in various areas of the state.

14 So I think the focus of these regulations, the
15 emergency regulations, is to get the reporting system in
16 place so that people start collecting the needed
17 information on collecting the material.

18 I think that we see two models in terms of how
19 the material is going to be collected and recycled, but we
20 may need to do some additional work during the permanent
21 rulemaking process to further articulate that. But I
22 think this gets us on the right course in terms of getting
23 the information we need right now beginning to be
24 collected July 1st. And as I indicated, I think there's
25 two ways it's going to happen: Through existing

1 infrastructure and through milk runs that will develop in
2 response to the law.

3 BOARD MEMBER CHESBRO: I hate to assume that
4 anybody is not going to do the right thing or that markets
5 aren't going to be sufficient.

6 But I also think we have an obligation to make
7 sure the ultimate purpose of the statute is complied with.
8 And all of California is not like Los Angeles where it's
9 that easy. And on the other hand, that may be a reason
10 why some markets are going to have a hard time in remote
11 locations complying with the law over the long term. And
12 we may need to take that into consideration.

13 I'll accept that these emergency regs may not be
14 able to solve all problems. But I would definitely like
15 for us in our motion to put a marker on it or give some
16 direction to staff to, as they pursue the permanent regs,
17 try to address this question of how to determine the
18 ultimate disposition or how much of a problem it is.
19 Maybe the advisory group will come back and show you
20 markets are expanding in a way I'm worrying too much.

21 But my experience with plastics historically has
22 been, you know, that it's a real risk that people will
23 comply minimally with the law. And if they're not going
24 to get dinged for dumping it somewhere, we will have
25 gotten half the job done, which is to get it off the side

1 of the road but not get it into the recycling stream.

2 CHAIRPERSON BROWN: But I have to at this point
3 chime in and say we have had a broad spectrum of industry
4 retailers and manufacturers participate in the development
5 of these emergency regs. And in the spirit of the law,
6 there is an intention that this material go to recycling.
7 At no point did I ever get any feeling that they are not
8 fully committed to this material going to recycling.

9 And the very fact of the law -- I mean, the size
10 of the retailers that we're talking about that are
11 compelled to fall into these regs, they're not going to be
12 the small, remote facilities that are even going to have
13 to comply with this.

14 So I'm comfortable with going forward. I don't
15 have a problem monitoring the program as we go through the
16 permanent reg process. But I have to believe that with
17 the trash bag minimum content, you know, exemptions we
18 just discussed and they're going back and forth you know
19 competing with trucks for this material, the fact we're
20 actually passing these emergency regulations, people are
21 going to comply. The markets are going to expand.

22 So I'd like to see how it works before we start
23 adding too much. But it is worthy of a notation that we
24 have an eye on that.

25 And I see Elliot raising his eyebrows to talk.

1 STAFF COUNSEL BLOCK: Chair, thank you.

2 Just along those lines -- and I think the issues
3 that Bill or Neal were raising are more practical ones in
4 terms of following up.

5 I just want to point out on page 4 of Attachment
6 1, if you actually look at -- well, it's the top section
7 there. I guess it would be 17987.4. But in the report
8 itself that they'll actually have to provide, if you look
9 at Items Number 10 and 11, they are pretty specific to
10 reporting the recycler they've been sent to or whether
11 they've been recycled. I think Bill and Neal were talking
12 about some practical issues as to some follow up. But we
13 are going to require that that reporting be done.

14 CHAIRPERSON BROWN: Thank you for clarification,
15 Elliot.

16 Any other questions from the dias?

17 BOARD MEMBER CHESBRO: Let me ask Elliot. If the
18 statute -- it says in the section I was referring to
19 previously, recycled or transported. That doesn't say
20 sent for recycling. The statute says "and." And whether
21 there's a conflict between the statute and the regs here.
22 "And, or" mean pretty different things.

23 STAFF COUNSEL BLOCK: The section of the
24 regulations that you were concerned about, because we've
25 used the term "or" was simply to reflect the fact that any

1 of those things might be reported. That's a general
2 lead-in in terms of the fact they have to report on those
3 things. But the more specific -- and that's what I want
4 to point out. The more specific section at the back that
5 talks about what has to be in the report is going to
6 require recycling be there. Certainly nothing in these
7 regulations would undercut or allow somebody not to meet
8 their requirements.

9 BOARD MEMBER CHESBRO: So you're comfortable that
10 somebody couldn't point to this and say, "All I have to do
11 is demonstrate it was transported. I don't have to
12 demonstrate it was recycled?"

13 STAFF COUNSEL BLOCK: I don't believe that would
14 be a valid interpretation of these regulations.

15 BOARD MEMBER CHESBRO: Madam Chair, the direction
16 I prefer we give is not to direct what the permanent regs
17 say, but just the issue be examined and discussed. That's
18 all -- at this point because we obviously want to hear
19 from the stakeholders what their issues are. And if there
20 is widespread agreement, including with the recycling and
21 environmental community, that's not a problem, I'm
22 certainly not going to claim it is. But just to make sure
23 that that gets looked at. That was included in the
24 motion, I appreciate it.

25 MR. JOHNSON: It will certainly be one of several

1 things we're going to look at in the permanent regulations
2 that have risen during the development of these emergency
3 regulations. And right now our real interest is to start
4 the recordkeeping and deal with the actual reporting and
5 some of those things later.

6 While I'm there, there are a couple of slight
7 changes to the text that arose after this went to print
8 after meeting with you, members of the Advisory Committee
9 last week. And on page --

10 CHAIRPERSON BROWN: Neal, were those distributed
11 to the Board members? The changes were distributed?

12 RECYCLING TECHNOLOGY BRANCH MANAGER ORR: There
13 was one typo.

14 MR. JOHNSON: There was a typo, and Ms. Williams
15 from the Retailers' Association had asked that a
16 clarification -- that's a couple of words.

17 CHAIRPERSON BROWN: Okay. Do you want to read
18 that into the record?

19 MR. JOHNSON: That's what I was planning to do.

20 CHAIRPERSON BROWN: I just didn't want you to
21 review everything you've already sent to the Board and was
22 posted on the Internet.

23 MR. JOHNSON: This came up this morning. So it's
24 a little hard.

25 In G on the second line where we have struck "in

1 lieu of directly weighing the plastic carry-out bags,"
2 also strike the "and" and the slash. Strike the "other"
3 after the "or."

4 And then in the third line where it says
5 "operators, store, or stores," strike the "or" and put
6 "by", and then after "use," "of"?

7 BOARD MEMBER CHESBRO: Apparently the difference
8 between "or" and "and" is significant.

9 MR. JOHNSON: One of the things we have really
10 struggled with is how to explain the commingled rate use,
11 even though I think from day one everyone was in agreement
12 with the concept. But actually putting it into the
13 language has been a bit of a struggle.

14 So I will go back and read the first part of G to
15 make sure we are all together. "An operator or designated
16 reporting party may, either directly report the weight of
17 plastic carry-out bags," strike, "in lieu of directly
18 weighing the plastic carry-out bags," strike the "and,"
19 "or adds in," strike "other," "the other film plastic
20 products recycled by the operator store or stores by,"
21 strike "or," "use," and insert "of the commingled
22 recycling rate."

23 BOARD MEMBER CHESBRO: From now on, we're going
24 to refer to our esteemed staff as "Bill And" instead of
25 "Bill Orr."

1 RECYCLING TECHNOLOGY BRANCH MANAGER ORR: I was
2 struck.

3 MR. JOHNSON: And then on top of page 5, the H
4 should be I.

5 And with that, that completes the changes.

6 And staff would recommend the Board approve the
7 emergency regulations as currently written and revised and
8 adopt Resolution 2007-139 Revised.

9 CHAIRPERSON BROWN: Thank you, Neal and Bill and
10 Howard.

11 Any further questions? I have no speakers.

12 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
13 Resolution 2007-139 Revised with the comments that Senator
14 Chesbro had requested to be included.

15 CHAIRPERSON BROWN: Okay.

16 BOARD MEMBER PETERSEN: I'll second that.

17 BOARD MEMBER CHESBRO: My only closing comment is
18 I suggested it in the spirit that esteemed former
19 President Ronald Reagan said, "trust but verify."

20 CHAIRPERSON BROWN: Thank you.

21 It's been moved and by Member Mulé and seconded
22 by Member Petersen and verified by Member Chesbro -- or
23 requested for verification by Member Chesbro.

24 Kristen, can you call the roll?

25 EXECUTIVE ASSISTANT GARNER: Chesbro?

1 BOARD MEMBER CHESBRO: Aye.

2 EXECUTIVE ASSISTANT GARNER: Danzinger?

3 BOARD MEMBER DANZINGER: Aye.

4 EXECUTIVE ASSISTANT GARNER: Mulé?

5 BOARD MEMBER MULÉ: Aye.

6 EXECUTIVE ASSISTANT GARNER: Petersen?

7 BOARD MEMBER PETERSEN: Aye.

8 EXECUTIVE ASSISTANT GARNER: Brown?

9 CHAIRPERSON BROWN: Aye.

10 BOARD MEMBER PETERSEN: Madam Chair, I have just
11 one comment.

12 First of all, I'd like to thank you, Madam Chair,
13 and Member Mulé and the other Board members that helped
14 participate and had the input into this Mad Hatter's story
15 we went through in the three meetings. And also the
16 stakeholders and the staff did a great job.

17 And also I should have included in my Committee
18 report about the yoman's job that everybody did on the
19 Five-Year Tire Plan, which was mind-boggling to say the
20 least. I'm still boggled. But anyway, thank you.

21 CHAIRPERSON BROWN: Thank you, Gary. And
22 actually, I appreciate you raising that, and want to thank
23 all of the stakeholders that did participate in 2449. It
24 was a very short time line to get these in place. I think
25 there was a complete, as I mentioned, intention to comply

1 with the regulations and the spirit of the law that was
2 passed by the Legislature.

3 So I appreciate your time and extreme effort and
4 look forward to working with the stakeholders. And Neal,
5 Bill, Howard, Harllee, everybody who participated on the
6 staff, I know you guys burned the midnight oil to get
7 these regs to all of us so they could review them, so we
8 can revise them, so we can revise them again, so we can
9 make sure all of the language was at least workable and
10 that we have records consistent throughout the state and
11 that we're all collecting the same kind of information in
12 the same manner so we can report to the Legislature on the
13 success of this program.

14 So anyway, thank you all very much. Echo the
15 Five-Year Plan. And I think that means we go to closed
16 session at this point. Thank you very much.

17 (Thereupon the California Integrated Waste
18 Management Board recessed into closed
19 session at 11:03 a.m.)

20 (Thereupon the California Integrated Waste
21 Management Board adjourned at 11:50 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 26th day June, 2007.

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